

Remarks

The Office Action dated January 26, 2010 has been carefully considered. Claims 12, 13, 14, 20 and 21 have been amended without addition of new matter. Claims 24, 29 and 30 have been cancelled without prejudice to further prosecution. Reconsideration of the current claims is respectfully requested.

Claim Rejections – 35 USC § 102

In Paragraph 2 of the Office Action, claims 12-18 and 20-24 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Hatsuda '076 substantially for the reasons of record.

As set forth in the current claims, the present invention is directed to an absorbent polymer structure having an inner portion and outer portion wherein the outer portion is surface crosslinked with a chemical cross-linker and an inorganic compound comprising silicic acid. As will be set forth below, Hatsuda fails to disclose each and every element of the present invention as set forth in the current claims.

Hatsuda discloses a method of treating the surface of an absorbent resin comprising mixing an absorbent resin powder with a cross-linking agent, water, and a hydrophilic organic solvent. Abstract. Hatsuda discloses mixing the absorbent resin and cross-linking agent in conjunction with a water-insoluble fine powder. Col. 8, ll.7-13. The powder includes organic powders and inorganic powders. Col. 8, lines 11-25. Hatsuda does not teach, suggest or disclose the water-insoluble fine powder comprising silicic acid. See Claims 12 and 20. Therefore, Hatsuda does not teach, suggest or disclose all of the elements of the present invention. In light

of the above reasons, Applicants respectfully request the examiner withdraw the rejection of claims 12-18 and 20-24.

In paragraph 3 of the Office Action, claims 29-30 have been withdrawn from consideration as being directed to a non-elected invention. Claims 29-30 have been cancelled herein without prejudice to further prosecute these claims.

Conclusion

In view of the amendments and remarks presented herein, Applicants submit that the present application is in condition for allowance, and such action is respectfully requested. If, however, any issues remain unresolved, the Examiner is invited to telephone Applicants' counsel at the number provided below.

Respectfully submitted,

/Philip P. McCann/

Philip P. McCann
Registration No. 30,919

SMITH MOORE LEATHERWOOD LLP
P.O. Box 21927
Greensboro, NC 27420
(336) 378-5302
phil.mccann@smithmoorelaw.com

Date: April 14, 2010

Docket No. 5003073.061US1

CERTIFICATE OF TRANSMISSION

I HEREBY CERTIFY THAT THIS DOCUMENT IS BEING TRANSMITTED VIA EFS-WEB TO THE UNITED STATES PATENT AND TRADEMARK OFFICE ADDRESSED TO: MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON April 14, 2010.
(Date)

Loma D. Selvaggio
Name of Depositor

/Loma D. Selvaggio/
Signature

April 14, 2010
Date of Signature